

CITY COUNCIL
CITY OF WICHITA
KANSAS

City Council Meeting
May 7, 2002, 9:00 A.M.

City Hall
455 North Main

ORDER OF BUSINESS

- Call to Order
- Invocation by Ms. Judith Press, Mid-Kansas Jewish Federation, 400 North Woodlawn
- Pledge of Allegiance
- Approve the minutes of the previous meeting

AWARDS AND PRESENTATIONS

- Proclamations
- Distinguished Service Citations

UNFINISHED BUSINESS

1. Asbestos Waste Disposal: Brooks C & D Landfill. (District VI)
(Continued from November 20, 2001)

RECOMMENDED ACTION: Authorize the site contractor to construct and operate a friable asbestos waste monofill at the Brooks Landfill site; and approve a \$25 disposal fee per cubic yard.

(Addendum)

- 2A. Policy on Evaluation Procedures for Municipal Court Judges.
(Continued from April 9, 2002)

RECOMMENDED ACTION: Adopt the Policy.

2. Regional Events Facility Election Ordinance.
(Continued from April 16, 2002)

RECOMMENDED ACTION: Adopt the revised Ordinance on second reading.

NEW BUSINESS

3. Public Hearing on Issuance of Airport Special Facility Revenue Bonds – Cessna Citation Service Center.
(District V)

Federal regulations require that prior to the issuance of tax-exempt bonds for this project, the public hearing be held by the governing body of the City having oversight of the issuing authority.

RECOMMENDED ACTION: Close the public hearing; receive and file comments.

(9:30 a.m., or thereafter)

4. Repair or Removal of Dangerous and Unsafe Structures.

The City Council previously adopted Resolutions setting the public hearing on the following properties:

	<u>Property Address</u>	<u>District</u>
1.	2253 North Park Place	VI
2.	3318 North Market (garage)	VI
3.	1819 West 53 rd North	VI
4.	807 North Edwards	VI

RECOMMENDED ACTION: Close the public hearing; accept the BCSA recommended action; adopt the Resolutions.

(10:30 a.m.)

5. The Heart of Wichita Lender Pool Formal Kick-off Announcement.

The Heart of Wichita Lender Pool will be capitalized at \$1 million by local lenders, loans originated by Community Housing Services, and down-payment assistance provided by the City.

RECOMMENDED ACTION: Receive comments and recess to reception.

Recess to Reception

CITY COUNCIL AGENDA

6. Board Appointments.

RECOMMENDED ACTION: Make the appointments.

CONSENT AGENDA

7. Report of the Board of Bids and Contracts Dated May 6, 2002.

RECOMMENDED ACTION: Receive and file report; approve Contracts; authorize necessary signatures.

8. Applications for Licenses to Retail Cereal Malt Beverages:

<u>Renewal</u>	<u>2002</u>	<u>(Consumption on Premises)</u>
Don C. Norton	La Chinita Mexican Restaurant*	1451 North Broadway
Julie D. Popplewell	Duffy's Den*	2415 West 31 st Street
Gwenda L. Vandaveel	Tropics Lounge*	2705 North Broadway
Kevin Raven	Taco Tico*	1303 North Tyler
Kevin Raven	Taco Tico*	460 North West Street
Kevin Raven	Taco Tico*	1118 West Douglas
(Item 8 continued)		
Kevin Raven	Taco Tico*	311 East Pawnee
Kevin Raven	Taco Tico*	3131 North Rock Road
Kevin Raven	Taco Tico*	8629 West Irving
Kevin Raven	Taco Tico*	603 East 47 th Street
Kevin Raven	Taco Tico*	3425 East Douglas
Kevin Raven	Taco Tico*	3257 East Harry
Kevin Raven	Taco Tico*	929 North Broadway
Kevin Raven	Taco Tico*	1230 South Rock
Thang D. Dao	Emperor of China*	7011 West Central #116
		<u>(Consumption off Premises)</u>
Robert J. Bales	Klepper Oil Co., Inc.	2601 North Broadway
Robert J. Bales	Klepper Oil Co., Inc.	3520 North Woodlawn
David W. Haubenstein	Metro Oil Co. dba Total #4177	851 South Meridian
David W. Haubenstein	Metro Oil Co. dba Total #4178	324 West Harry
David W. Haubenstein	Metro Oil Co. dba Total #4180	1826 East 13 th Street
David W. Haubenstein	Metro Oil Co. dba Total #4182	4003 South Broadway
David W. Haubenstein	Metro Oil Co. dba Total #4183	731 North Ridge
David W. Haubenstein	Metro Oil Co. dba Total #4184	106 South Hydraulic
David W. Haubenstein	Metro Oil Co. dba Total #4185	223 East 21 st Street
David W. Haubenstein	Metro Oil Co. dba Total #4186	3919 West Pawnee
David W. Haubenstein	Metro Oil Co. dba Total #4188	1622 South West Street
David W. Haubenstein	Metro Oil Co. dba Total #4189	1649 East 13 th Street
David W. Haubenstein	Metro Oil Co. dba Total #4191	248 South Hillside
David W. Haubenstein	Metro Oil Co. dba Total #4194	3233 North Rock Road
David Bullington	Wal-Mart Store #3283	10600 West 21 st Street
		<u>(Consumption off Premises)</u>
<u>New Operator</u>	<u>2002</u>	
Javier Vazquez	El Ranchito	3537 North Broadway
Stan Edde	Falley's Inc. dba Food 4 Less #60	1607 South Georgetown Street
Stan Edde	Falley's Inc. dba Food 4 Less #61	3137 South Seneca
Stan Edde	Falley's Inc. dba Food 4 Less #62	1910 West 21 st Street North
		<u>(Consumption on Premises)</u>
<u>New Establishment</u>	<u>2002</u>	
Vicky Soukamneuth	Thai-Lao Café*	2433 South Hillside
Stephen E. Parsons	Taqueria El Paisa*	2227 North Arkansas
Robert M. Maurer Jr.	Wichita Smoke and Steak House*	111 North Washington
Kevin Raven	Taco Tico*	2081 South Seneca
		<u>(Consumption off Premises)</u>
Michael Hoffman	Kwik Shop #716	2424 West 37 th Street North
<u>Special Event</u>	<u>May 10-12, 2002</u>	

Jeffery Elliott

Easy Riders of Wichita
Bikers Edge Dyno Drug Truck

1201 East Central

*General/Restaurant - 50% or more of gross receipts derived from sale of food.

RECOMMENDED ACTION: Approve licenses subject to Staff review and approval.

9. Subdivision Plans and Specifications.

RECOMMENDED ACTION: Approve and advertise for bids to be submitted to the Board of Bids.

10. Preliminary Estimates:

- a) 2002 Contract maintenance raising and undersealing concrete slabs - north of 47th Street South, east of Hoover. (472-83516/132712/132712) Traffic to be maintained during construction using flagpersons and barricades. (District III, IV & V) - \$119,000.00
- b) Lateral 23, Main 13, War Industry Sewer to serve Premier Addition - north of Kellogg, west of Greenwich. (468-83239/743921/480609) Does not affect existing traffic. (District II) - \$46,000.00
- c) Lateral 6, Main 17, Southwest Interceptor Sewer to serve Forest Lakes Addition (north of 29th Street North, west of Ridge) (468-82304/743918/480606) Does not affect existing traffic. (District V) - \$85,000.00
- d) Lateral 384, Southwest Interceptor Sewer to serve Forest Lake West Addition (north of 29th Street North, east of Tyler) (468-82769/743919/480607) Does not affect existing traffic. (District V) - \$85,000.00
- e) Lateral 385, Southwest Interceptor Sewer to serve Forest Lake West Addition - north of 29th Street North, east of Tyler. (468-82770/743920 /480608) Does not affect existing traffic. (District V) - \$46,200.00
- f) Storm Water Drain 99 to serve part of Forest Lakes Addition - north of 29th Street North, west of Ridge Road. (468-82311/751315/485206) Does not affect existing traffic. (District V) - \$360,000.00
- g) Storm Water Drain 132 to serve Forest Lake West Addition (north of 29th Street North, east of Tyler) (468-82771/751316/485207) Does not affect existing traffic. (District V) - \$275,000.00
- h) 26th Street North from the east line of the drainage canal to the west line of Market, Aley from the west line of Fairview to the west line of Market and from the east line of Market to the west line of Broadway and Burnett from the east line of the drainage canal to the west line of Market and from the east line of Market to the west line of Broadway, to serve North Lawn Addition, Buckeye Addition, Gardner's Addition, Aley Park Addition - west of Broadway, south of 29th Street North) (472-83301/765662/490773) Traffic to be maintained during construction using flagpersons and barricades. (District VI) - \$567,000.00

RECOMMENDED ACTION: Approve and file.

11. Petitions for Public Improvements:

- a) Sanitary sewer to serve part of Howard's Addition to College Hill – south of Central, east of Hillside. (District II)
- b) Sanitary Sewer to serve part of Reid Addition – south of Central, east of West Street. (District IV)
- c) Sanitary Sewer to serve the new Maize School Campus – south of 37th Street North, west of Tyler. (District V)

RECOMMENDED ACTION: Approve Petitions; adopt Resolutions.

12. Consideration of Street Closures/Uses.

RECOMMENDED ACTION: Approve street closures/uses.

13. Report on Claims Allowed During Month of March 2002:

<u>Name of Claimant</u>	<u>Amount</u>
Applegate, Stephany	\$125.00
Ayers, Timothy Lee	\$76.70
Coleman, Teresa	\$158.82
Fitch, Toni	\$3,332.85
Gibson, Kurt	\$2,458.71
Kansas Gas Service	\$368.03**
Kansas Gas Service	\$1,236.02**
Kansas Gas Service	\$352.60**
King, Earl	\$1,302.80**
Waggy, Cindy	\$232.98

** Settled for lesser amount than claimed.

RECOMMENDED ACTION: Receive and file.

14. Agreements/Contracts:

- a) [Police](#) helicopter major maintenance.
- b) [Amendment](#) – Art Museum Expansion Project. (District VI)
- c) [Custodial](#) cleaning.
- d) [Kansas](#) World Trade Center 2002.
- e) [Chamber](#) 2002 Economic Development Services.

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

15. Design Services Agreements:

- a) [Balthrop](#) Fourth Addition – north of Central, west of K-96. (District II)
- b) [Forest](#) Lakes – north of 29th, west of Ridge. (District V)
- c) [Forest](#) Lakes West – north of 29th, east of Tyler. (District V)
- d) [Storm](#) Water Pump Station No. 1 – pumps 1 and 5. (Districts IV and VI)
- e) [Paving](#) Park Place, Wellington Place, and 28th Streets North. (District VI)

RECOMMENDED ACTION: Approve Agreements/Contracts; authorize necessary signatures.

16. [Pawnee Bridge at Dry Creek – East of Hillside.](#) (District III)

RECOMMENDED ACTION: Approve project, first reading of Ordinance, and Agreements; authorize necessary signatures.

17. [2002 Arterial Sidewalk and Wheelchair Ramp Program – Phase II.](#) (Districts II, IV, and VI)

RECOMMENDED ACTION: Approve project; adopt Resolution.

18. [City Hall Fire Alarm System Upgrade.](#)

RECOMMENDED ACTION: Approve project; adopt Resolution; authorize selection of consultant.

19. [North Regional Library.](#) (District VI)

RECOMMENDED ACTION: Adopt Resolution.

20. [Athletic Field Shade Shelters Change Order.](#) (District IV)

RECOMMENDED ACTION: Approve Change Order; authorize signatures.

21. [Amendment to Declaration of Condominium – Eaton Place Project.](#) (District VI)

RECOMMENDED ACTION: Approve Declaration; authorize signatures.

22. [Veterans Memorial Park Grant Award.](#)

RECOMMENDED ACTION: Approve Grant award; authorize signatures.

23. [Application for City Sewer Services – 14915 East 9th Street.](#)

RECOMMENDED ACTION: Approve application; authorize signatures.

24. [Reverse Osmosis Feasibility Study – Phase I.](#)

RECOMMENDED ACTION: Approve project and Contract; authorize signatures.

25. [Cheney Watershed Sampling, USGS Final Report.](#)

RECOMMENDED ACTION: Receive and file.

26. [Ashbrook Belt Filter Press Extensions.](#)

RECOMMENDED ACTION: Approve purchase; authorize signatures.

27. [Payment of Settlement.](#)

RECOMMENDED ACTION: Approve payment of settlement.

28. [HOME Program Changes and Reallocation.](#)

RECOMMENDED ACTION: Approve Program changes and reallocation of funding; authorize signatures.

29. [Allocation of Housing Development Loan Program Funding.](#)

RECOMMENDED ACTION: Approve allocations; authorize signatures.

30. [Property Acquisition:](#)

a) [2190](#) North Rock Road. (District II)

b) [Sewer](#) easement – 3912 South Broadway. (District IV)

RECOMMENDED ACTION: Approve budgets and Contracts; authorize necessary signatures.

31. [Repair or Removal of Dangerous and Unsafe Structures.](#)

	<u>Address</u>	<u>District</u>
1.	1339 South Santa Fe	I
2.	1665 North Minnesota	I
3.	327 South Sheridan	IV
4.	1616 South Emporia (garage)	III
5.	837 North Ohio	I
6.	1620 North Green	I
7.	1641 North Estelle	I

RECOMMENDED ACTION: Adopt Resolution (s) setting Public Hearing on June 18, 2002, at 9:30 a.m., or soon thereafter.

31A. [Weapons Destruction.](#)

RECOMMENDED ACTION: Receive and file.

32. Second Reading Ordinances: (First read April 16,2002)

- a) Regional Events Facility Election.
(This Item is a duplication Item. Refer to Item 2)
- b) 2002 Arterial street and bridge design program.
 - 1. An Ordinance declaring 29th Street North, from Maize Road to Tyler Road (472-83505) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
 - 2. An Ordinance declaring Central Avenue, from Woodlawn to Rock Road (472-83506) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
 - 3. An Ordinance declaring Main Street, from Douglas to Murdock (472-83507) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
 - 4. An Ordinance declaring 13th Street North Bridge at Cowskin Creek (472-83511) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
 - 5. An Ordinance declaring 15th Street North Bridge at Wichita Drainage Canal (472-83512) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
 - 6. An Ordinance declaring 21st Street North Bridge over the West Branch of Chisholm Creek at St. Francis (472-83513) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.
 - 7. An ordinance declaring Mt. Vernon Bridge over Dry Creek at Bluff Street (472-83514) to be a main trafficway within the City of Wichita Kansas; declaring the necessity of and authorizing certain improvements to said main trafficway; and setting forth the nature of said improvements, the estimated costs thereof, and the manner of payment of the same.

(Item 32 continued)

- c) A02-06 – ½ mile north of MacArthur, east of Ridge Road

An Ordinance including and incorporating certain blocks, parcels, pieces, and tracts of land within the limits and boundaries of the City of Wichita, Kansas, and relating thereto. A02-06

RECOMMENDED ACTION: Adopt Ordinances.

PLANNING AGENDA

NOTICE: Public hearing on planning items is conducted by the MAPC under provisions of State law. Adopted policy is that additional hearing on zoning applications will not be conducted by the City Council unless a statement alleging (1) unfair hearing before the MAPC, or (2) alleging new facts or evidence has been filed with the City Clerk by 5p.m. on the Wednesday preceding this meeting. The Council will determine from the written statement whether to return the matter to the MAPC for rehearing.

- *33. [DED2002-13 – Dedication of Utility Easement – Southwest Corner of Seneca and Crawford.](#) (District IV)

RECOMMENDED ACTION: Accept the Dedication.

- *34. [SUB2001-106 – Plat of Church of the Magdalen Second Addition – Northwest Corner of 21st Street North and 127th Street East.](#) (District II)

RECOMMENDED ACTION: Approve document and Plat;
authorize signatures.

- *35. [VAC2002-00007 – Vacate Portion of Platted Setback – Southwest of Esthner/Meridian Avenue Intersection.](#)

RECOMMENDED ACTION: Approve Vacation Order; authorize
signatures.

36. [ZON2002-00010 – Zone Change from Neighborhood Retail to Limited Commercial and Amendment of Protective Overlay #41.](#) (District II)

MAPC Recommendation: Approve, subject to Staff recommendations.
Staff Recommendation: Approve, subject to conditions.

RECOMMENDED ACTION: Concur with the findings of the MAPC and approve
the zone change, PO#41 amendment, and first reading
of the Ordinance; OR

Return the application to MAPC for reconsideration.

- *37. [ZON2002-00011 – Zone Change from Multi-Family Residential to General Office – South of Harry, East of Mission.](#) (District III)

RECOMMENDED ACTION: Approve zone change and first reading
of the Ordinance.

- *38. [ZON2002-00012 – Zone Change from Street Right-of-Way/Two-Family Residential to General Office – East of Hillside, South of Orme.](#) (District II)

RECOMMENDED ACTION: Approve zone change subject to platting
within one year; Ordinance to be forwarded
when Plat is forwarded.

- *39. [DR2002-10 – Rename Stackman Drive to Museum Boulevard \(Central to Sim Park Drive\); and Rename Sim Park Drive to Museum Boulevard \(Stackman Drive to Amidon\).](#) (District VI)

RECOMMENDED ACTION: Approve street name changes and first
reading of the Ordinance.

- *40. [DR00-11 – Six-Month Review of Development Moratorium for Properties along Seneca and West Douglas in the Delano Neighborhood.](#) (District IV)

RECOMMENDED ACTION: Continue the development moratorium.

- *41. [A02-08 – Annex Land at the Southwest Corner of Hillside and 53rd Streets North; Approve Sanitary Sewer Petitions.](#) (District I)

RECOMMENDED ACTION: Approve annexation and first reading of Ordinance; adopt Resolution.

- *42. [A02-09 – Annex Land ½ Mile South of MacArthur, West of Hoover Road.](#) (District V)

RECOMMENDED ACTION: Approve annexation and first reading of Ordinance.

- *43. [Acquisition of Lands Associated with Abandoned U.P. Right-of-Way through Midtown, Downtown, and Delano.](#) (Districts IV and VI)

RECOMMENDED ACTION: Authorize notification of landowners of City's intent to develop greenways and invite their participation in neighborhood planning efforts, and pursuit of acquisition of key parcels along the corridor.

- *44. [BNSF and CKR Railroad Corridor Preservation.](#)

RECOMMENDED ACTION: Authorize negotiations and preparation of Corridor Plan.

AIRPORT AGENDA

NOTICE: The City Council is meeting as the governing body of the Airport for consideration and action on items on this Agenda, pursuant to State law and City ordinance. The meeting of the Authority is deemed called to order at the start of this Agenda and adjourned at the conclusion.

45. Agreements:

- a) [AirTran](#) Airways, Atlantic Coast Airlines, and Chautauqua Airlines.
- b) [U.S.](#) Department of Agriculture.

RECOMMENDED ACTION: Approve Agreements; authorize signatures.

46. [Electrical](#) Services Airport Development Change Order.

RECOMMENDED ACTION: Approve Change Order; authorize signatures.

47. [Small](#) Community Air Service Development Pilot Program.

RECOMMENDED ACTION: Approve and authorize submission of proposal.

Adjournment
